UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,378	12/18/2001	Mark J. Harris	26769-4	7906

21130	7590	02/13/2004

BENESCH, FRIEDLANDER, COPLAN & ARONOFF LLP
ATTN: IP DEPARTMENT DOCKET CLERK
2300 BP TOWER
200 PUBLIC SQUARE
CLEVELAND, OH 44114

EXAMINER
NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
2642	3

DATE MAILED: 02/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/018,378	HARRIS, MARK J.
	Examiner	Art Unit
	Quynh H Nguyen	2642

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _18 December 2001_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-14_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-14_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by

Andersen et al. (U.S. Patent 5,974,453).

Regarding claims 1, 10, and 11, Andersen et al. teach receiving a telephone

number portion identifying a device (phone number 011-123-456-7890 identifying

device 115); converting ("rearranging") the telephone number portion into a multiple

level domain name identifying the device over a telephone number portion and a base

portion (col. 3, lines 29-41, for example, 7890.456.123.011.dir-con.com); and

establishing communication with the device via the multiple level domain name over the

network (col. 3, lines 37-48).

Regarding claim 2, Andersen et al. teach the telephone number portion of the

multiple level domain name is subordinated to the base portion, for example,

7890.456.123.011.dir-con.com.

Regarding claim 3, Andersen et al. teach the base portion of the multiple level

domain names comprise a base level domain, for example, .com.

Regarding claims 4 and 13, Andersen et al. teach adding domain separators to the received telephone number portion at determinable locations in the received telephone number portion ("adding the periods" - col.5, lines 63-67).

Regarding claims 5 and 14, Andersen et al. teach parsing the received telephone number (Fig. 5, 500) portion for the separator ("arrange static identifier to form DNS device name"); and inserting a domain separator for the parsed separator (Fig. 5, 515).

Regarding claim 6, Andersen et al. teach appending additional domain levels to the converted telephone number portion to complete the multiple level domain name (col. 8, lines 12-15).

Regarding claims 7 and 8, Andersen et al. teach receiving from a first device at least a portion of a static, multiple level domain name including a telephone number portion identifying a second device (col. 8, lines 3-8); determining availability of the second device on the network (col. 8, lines 19-31); and in response to the determining step, selectively establishing communications from the first device to the second device (col. 8, lines 44-51).

Regarding claim 9, Andersen et al. teach querying the second device over the network; and receiving a response from the second device indicative of second device availability ("the device 115 is transmitting keep-alive signals") (col. 7, lines 47-64).

Regarding claim 12, Andersen et al. teach matching the static multiple level domain names to an IP address (col. 3, lines 29-40).

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Low (U.S. Patent 6,282,281) teaches method of providing telecommunications services.

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
February 5, 2004

AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700